

THE HONORABLE JUDGE RICARDO S. MARTINEZ

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

DERICK D’HAITI,

Plaintiff,

NO. 2:20-CV-00358-RSM

v.

STIPULATED MOTION TO DISMISS  
PHILIPS NORTH AMERICA LLC’S  
CROSSCLAIM AGAINST JONES  
LANG LASALLE AMERICAS, INC.  
AND ORDER

PHILIPS NORTH AMERICA LLC d/b/a  
PHILIPS HEALTHCARE, a Delaware  
limited-liability company; JONES LANG  
LASALLE AMERICAS, INC., a Maryland  
Corporation; ABM INDUSTRIES  
INCORPORATED, a Delaware corporation;  
ABC Company and XYZ Company,

NOTE FOR HEARING: APRIL 1, 2021  
WITHOUT ORAL ARGUMENT

Defendants.

**STIPULATED MOTION FOR DISMISSAL**

Pursuant to Fed. R. Civ. P. 41(c)(1) and Local Rule 10(g), Defendant Philips North America LLC (“Philips”), together with Plaintiff Derick D’Haiti, Defendant Jones Lang LaSalle Americas, Inc. (“JLL”) and ABM Industries Inc. (“ABM”) (collectively referred to as the “Parties”), by and through the undersigned counsel of record, respectfully move the Court to enter the stipulated Order as set forth below.

STIPULATED MOTION TO DISMISS PHILIPS NORTH AMERICA  
LLC’S CROSSCLAIM AGAINST JONES LANG LASALLE  
AMERICAS, INC. AND ORDER  
(CAUSE NO. 2:20-CV-00358-RSM) – Page 1

**HOLT WOODS & SCISCIANI LLP**  
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SEATTLE, WA 98101  
P: (206) 262-1200 F: (206) 223-4065

**STIPULATION**

Philips previously filed a crossclaim against JLL regarding JLL's alleged breach of contract and failure to provide contractual indemnity and defense. JLL has since accepted Philips tender of defense.

Therefore, the Parties hereby stipulate to the voluntary dismissal of Philips' crossclaim against JLL without costs or fees to either party.

**IT IS SO STIPULATED** this 1st day of April, 2021.

EMERALD LAW GROUP, PLLC

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REED MCCLURE

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By: s/ David D. Mordekhov  
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Attorney for Jones LaSalle Americas, Inc.

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STIPULATED MOTION TO DISMISS PHILIPS NORTH AMERICA  
LLC'S CROSSCLAIM AGAINST JONES LANG LASALLE  
AMERICAS, INC. AND ORDER  
(CAUSE NO. 2:20-CV-00358-RSM) – Page 2

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**ORDER**

The Court, having received the Stipulated Motion to Dismiss Philips crossclaims against JLL, hereby orders that the stipulated motion is GRANTED.

**IT IS SO ORDERED.**

DATED this 2<sup>nd</sup> day of April, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

I am employed by the law firm of Holt Woods & Scisciani LLP.

At all times hereinafter mentioned, I was and am a citizen of the United States of America, a resident of the State of Washington, over the age of eighteen (18) years, not a party to the above-entitled action, and competent to be a witness herein.

On the date set forth below I served the document(s) to which this is attached, in the manner noted on the following person(s):

PARTY/COUNSEL	DELIVERY INSTRUCTIONS
<b><u>CO / Plaintiff</u></b> Donna L. Mack Emerald Law Group, PLLC 811 1 <sup>st</sup> Avenue, Suite 510 Seattle, WA 98104-1428	( ) Via U.S. Mail (X) Via E-Mail ( ) Via Facsimile ( ) Via Overnight Mail (X) Via CM/ECF donna@emeraldllawgroup.com
<b><u>CO / Defendant ABM Industries Incorporated</u></b> Jason E. Vacha Reed McClure 1215 Fourth Avenue, Suite 1700 Seattle, WA 98161-1087	( ) Via U.S. Mail (X) Via E-Mail ( ) Via Facsimile ( ) Via Overnight Mail (X) Via CM/ECF jvacha@rmlaw.com
<b><u>CO / Defendant Jones LaSalle Americas, Inc.</u></b> David D. Mordekhov Gardner Trabolsi & Mordekhov PLLC 2200 Sixth Avenue, Suite 600 Seattle, WA 98121	( ) Via U.S. Mail (X) Via E-Mail ( ) Via Facsimile ( ) Via Overnight Mail (X) Via CM/ECF dmordekhov@gandtlawfirm.com

DATED this 1<sup>st</sup> day of April, 2021.

s/ Jessica Heath

Jessica Heath, Legal Assistant